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TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49196]

COUNTERVAILING DUTIES ON DRIED SALT FISH FROM NOVA SCOTIA

COLLECTORS OF CUSTOMS INSTRUCTED TO COLLECT DUTIES UNLESS SATISFACTORY EVIDENCE IS PRESENTED THAT NO PRODUCTION BOUNTY WAS PAID ON THE FISH BY THE GOVERNMENT OF NOVA SCOTIA.

To Collectors of Customs and Others Concerned:

The Bureau is in receipt of official information which establishes to its satisfaction that bounties or grants within the meaning of the provisions of section 303 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1303) are being paid or bestowed on the production in Nova Scotia of dried salt fish.

The net amount of the bounty or grant paid or bestowed on the production in Nova Scotia of each quintal of 112 pounds of dried salt fish is hereby declared to be \$1.00 with respect to codfish and \$.66 $\frac{2}{3}$ with respect to pollock, hake, haddock, and cusk.

It is represented that Nova Scotia is the center of the Canadian export trade in dried fish; that large quantities of dried fish are imported into Nova Scotia and subsequently reexported to foreign markets, and that no bounties or grants are paid or bestowed on such fish.

There shall be levied and collected a countervailing duty equal to the net amount of the bounty or grant paid or bestowed on dried salt fish of the kinds named in the second paragraph of this declaration, calculated at the rates indicated therein, imported directly or indirectly from Nova Scotia and entered for consumption or withdrawn from warehouse for consumption after thirty days after the date of publication of this declaration in the weekly Treasury Decisions, unless there is filed with the entry a certificate issued by the United States Consul at Halifax identifying the particular dried fish by reference to the consignor, consignee, quantity and kind of fish, exporting vessel and date of exportation, and stating that it has been established to his satisfaction that the dried fish are not products of Nova Scotia and that no bounty or grant has been or will be paid in respect of such fish.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, October 12, 1937.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F.R. Doc. 37-3054; Filed, October 16, 1937; 9:26 a.m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

Bulletin, NSCP-201

1938 NAVAL STORES CONSERVATION PROGRAM

BULLETIN 201

For the information of producers of gum naval stores in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. This bulletin explains the procedure to be followed in order to qualify for payments under the Naval Stores Conservation Program for 1938.

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of section 7 (a) of the said Act in 1938, payments and grants of aid will be made for participation in the 1938 Naval Stores Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1938 Naval Stores Conservation Program are subject to such legislation relating to said program as the Congress of the United States may hereafter enact, and the making of the payments herein provided are contingent upon such appropriation as the said Congress may hereafter provide for such purpose; the amounts of such payments and grants of aid will be finally determined by such appropriation and by the extent of participation in the program. Any increase or decrease in rates of payments and deductions because of the extent of participation in the program will not be in excess of 10 percent.

Definition of Terms

1. *Turpentine farm.*—The land and turpentine timber owned or leased, or operated on a share-crop basis, and under one management and in one general locality, which is being operated for the production of gum naval stores, and generally referred to as a "turpentine place".

2. *Gum naval stores.*—Crude gum (oleoresin) gum turpentine, and gum rosin produced from live trees. Gum naval stores does not include naval stores produced from dead timber, stumps, knots, etc.

3. *Producer.*—Any person or persons, firm, partnership, or corporation operating a turpentine farm or "place" (whether wholly or partially under fee ownership, cash lease, percentage lease, or other control) producing gum naval stores and regardless of how or where the raw product may be processed.

4. *Face.*—The whole wound or aggregate of streaks made by chipping, streaking, or pulling live trees to stimulate the flow of gum.



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TABLE OF CONTENTS

Department of Agriculture:	
Agricultural Adjustment Administration:	Page
Naval stores conservation program, 1938, Bulletin 201.....	2593
Federal Communications Commission:	
Radio installations, order and notice of hearing....	2596
Rule 262a, B, b, modification.....	2597
Rule 375 and Rule 403, Class B, amendment.....	2597
Tariff Circular No. 1, amendment to Rule 8 (b).....	2595
Federal Power Commission:	
Order reopening proceedings and setting hearing, application of:	
Sierra Pacific Power Co.....	2597
Federal Trade Commission:	
Orders appointing examiners, etc., in the matter of:	
Cement Institute, The, et al.....	2597
Quality Bakers of America, et al.....	2598
Securities and Exchange Commission:	
Order revoking registration in the matter of:	
Hyman, Jesse, and Seymour Klein, doing business as Jesse Hyman & Co.....	2598
Treasury Department:	
Bureau of Customs:	
Countervailing duties on dried salt fish from Nova Scotia.....	2593

5. *Cup*.—A metal, clay, or other container hung on or below the face to accumulate the flow of gum.

6. *Tins*.—The gutters or aprons, made of sheet metal or other material, used to aid in conducting the crude gum (oleoresin) from a face into a cup.

7. *Crop*.—10,000 turpentine faces.

8. *Drift or tract*.—A portion or subdivision of a "crop" set apart for convenience of operation.

9. *D. b. h.*.—Diameter breast height, i. e., diameter of tree measured at breast height, that is, at 4½ feet from the ground.

10. *Turpentine season*.—The entire calendar year or that period within the calendar year during which a producer is operating his turpentine farm for the production of gum naval stores.

11. *Application*.—The prescribed form of application for payment for cooperating in the 1938 Naval Stores Conservation Program (hereinafter referred to as the 1938 program).

Kind of Payments

Payment will be made to producers who in 1938 carry out the following approved practices with respect to turpentine farms currently being worked in 1938, beginning such cooperation on or within time limits to be established by the Forest Service of the United States Department of Agriculture, (hereinafter referred to as Forest Service) as appropriate and practicable time limits necessary to afford full opportunity to producers to cooperate in the program and to obtain a full measure of compliance with the objectives of the program.

Duration of Program

The period during which this program is to be in effect is the period January 1 to November 15, 1938, inclusive.

Conditions of Payment—Performance Required

In order to qualify for payment, producers shall meet the following requirements:

1. No new (virgin) faces shall be operated during the 1938 turpentine season on trees less than 9 inches d. b. h. on any turpentine farm or portion thereof owned or leased by the applicant producer, whether or not such farm is covered by a work sheet and an application.

2. No faces (either old or new) shall be operated during the 1938 turpentine season on trees less than 9 inches d. b. h. on any turpentine farm which is covered by a work sheet and an application.

3. On any turpentine farm which is covered by a work sheet and an application no tree that is less than 14 inches d. b. h. shall have more than one face worked during the 1938 turpentine season.

4. Tins and cups must be removed for the 1938 turpentine season in the manner prescribed and within reasonable time limits established by the Forest Service, from faces on all trees less than 9 inches d. b. h., and from all but one face on all trees between 9 and 14 inches d. b. h. having two or more faces.

5. Total streaks per face made between January 1 and November 15, 1938, shall not exceed an aggregate of 20 inches in vertical measurement (average of measurements between shoulders of first streak and shoulders of last streak).

6. Payment shall not be made on faces in production which by drifts or tracts do not average at least 12 streaks for the 1938 season and such streaks shall have been made at no greater frequency than two streaks per week.

7. Payment shall not be made on faces retained in production in any drift or tract where the acreage height of faces exceeds 90 inches at the beginning of the 1938 turpentine season, in average vertical measurement between shoulders of first streak and shoulders of last streak, including jump streaks.

8. Payment shall not be made on faces taken out of production in any drift or tract where the average height of faces exceeds 90 inches at the beginning of the 1938 turpentine season, in average vertical measurement between shoulders of first streak and shoulders of last streak, including jump streaks.

9. Payment shall not be made on faces taken out, or remaining out, of production in any drift or tract—

(a) Unless such faces were, respectively, either in operation for two or more months during the 1937 turpentine season, or were discontinued under the 1937 Naval Stores Conservation Program (hereinafter referred to as the 1937 program), or

(b) Where the cups on such faces were installed prior to the season of 1934.

10. No tree shall have any new (first-year) back face unless a bark-bar on each side of the back face is provided, the total of the two being not less than 7 inches in width, measured horizontally along the bark surface; provided, however, that the restriction with respect to width of bark-

bar shall not apply to any tree which has on it two or more old faces.

11. The applicant producer shall protect from fire all forest land of any kind within the turpentine farm owned, leased, or otherwise controlled by him during the 1938 turpentine season to the best of his ability, and in doing so shall cooperate with the State and Federal Governments in any cooperative forest fire protective system that exists contiguous to his turpentine farm or within the area within which such farm is situated.

12. The applicant producer, in order to provide for restocking and to promote continued production of timber upon which the naval stores, pulp and paper, lumber, and other wood-using industries are dependent, shall, in any and all cutting of timber under his ownership or control during the 1938 season, meet or exceed the following minimum requirements:

(a) All worked-out turpentine, defective, and nonturpentine trees may be cut, provided at least 6 thrifty seed trees 11 inches or more d. b. h. per acre are left, or provided sufficient young growth (at least 150 trees per acre 6 to 8 feet high) is left uncut.

(b) In all other cutting operations at least 6 thrifty seed trees 11 inches or more d. b. h. shall be left, unless sufficient young growth (at least 150 trees per acre 6 to 8 feet high (is left standing: provided, however, that where trees are removed in the form of thinnings not less than 50 trees per acre, spaced approximately 30 x 30 feet, 6 to 9 inches in diameter at the stump, shall be left uncut.

Standards similar to the above have been adopted by members of the American Pulpwood Association in the southern and southeastern United States, and they have also committed themselves to cooperate with the naval stores industry in the salvage and cutting of worked-out turpentine timber.

13. Each applicant producer is measuring his trees to determine those on which operation shall respectively be continued or discontinued under the 1938 program shall make an accurate count, by drifts, lots, or other suitable units, of all faces separately as to those that are to remain in operation and those which are not; and he shall make and keep a written record thereof; and such record shall be made available to any field inspector who is responsible for inspecting his operations under the program. Each producer who files a work sheet shall assist the representatives of the Forest Service in the administration of the 1938 program by giving them free access to his turpentine farm, indicating the location of trees and faces recorded on the work sheet, and otherwise facilitating the work of the inspectors in checking compliance with the terms and conditions of the program.

Rates of Payment

In connection with the utilization, during the period of January 1 to November 15 inclusive, 1938, of land devoted to growing trees suitable for or used in the production of gum naval stores, on all turpentine farms operated in accordance with the conditions hereinabove set forth, payment will be made to producers at the following rates:

A. 1 cent per face for each face in continuous operation during the 1938 turpentine season except new (virgin) faces (front or back) and except faces in drifts or tracts which, by drifts or tracts, average more than 90 inches in height at the beginning of the 1938 season.

B. 5 cents per face (a) on each face on trees less than 9 inches d. b. h. and on any one face of two or more faces on trees 9 to 14 inches d. b. h., which was taken out and kept out of operation in accordance with the conditions of the 1937 program and which is kept out of operation in 1938, and (b) on each face taken out of operation at the beginning of the 1937 turpentine season and kept out of operation in 1938 in accordance with the conditions of the 1938 program.

Application and Eligibility for Payment

(a) *Filing of work sheet and application.*—Payments will be made upon the basis of facts established in an applica-

tion for payment properly executed on a prescribed form and filed in a district or regional office of the Forest Service. Each person filing an application for payment will be required to show that a work sheet has been properly executed covering, separately, each turpentine farm owned, leased, or otherwise controlled, and being operated by him, with respect to which an application for payment is filed.

An application for payment may be made by (1) any producer who is actively engaged in the production of gum naval stores in the period from January 1, 1938, to November 15, 1938; (2) by any person who was so engaged during 1937, or who participated in the 1937 program on land owned, leased or otherwise controlled by him; or (3) such other persons as may be designated by the Secretary of Agriculture.

(b) *Time limit for filing work sheets and application.*—Work sheets and applications shall be filed in the manner prescribed and within the limits established by the Forest Service as reasonably affording opportunity to producers to participate in the benefits of the program and keeping the administrative costs within the budget and as low as reasonably may be reached.

(c) *Producer eligible for payment.*—Payment will be made to the producer who conducts the turpentine operation and who executes the application for payment. In the event one producer conducts the operation of a turpentine place during a portion of the 1938 turpentine season and another producer (or producers) conducts the operation of the turpentine place during the remainder of the season, payment will be made to the producer who last conducts the operation of the turpentine place during the season, or the payments shall be divided between such producers on the basis of a mutual agreement between them.

(d) *Time of payment.*—Payment will be made as soon as practicable after a final field inspection of the turpentine farm on which a work sheet has been filed (such inspection to be made on or about November 15, 1938) and after an application of payment has been filed with respect to such farm.

Administration

The field work in connection with this program shall be administered by the Forest Service through the Office of the Regional Forester, United States Forest Service, Glenn Building, Atlanta, Georgia.

Done at Washington, D. C., this 16th day of October 1937. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 37-3062; Filed, October 18, 1937; 12:44 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

AMENDMENT TO RULE 8 (b) OF TARIFF CIRCULAR No. 1

The Commission, at a general session held on October 6, 1937, adopted the following Order:

COMMISSION ORDER NO. 12-C

The Commission having under consideration Rule 8 (b) of Tariff Circular No. 1:

It is ordered, That effective November 15, 1937, Rule 8 (b) be amended to read as follows:

RULE 8 (b). Except as hereinafter provided in this rule, or except as otherwise specially authorized by the Commission, after notice of a change has been published and filed the new charges or regulations must be allowed to become effective and remain so for at least thirty days from their effective date before any change can be made therein. The period of notice herein required shall begin on, and include, the date the tariff or supplement is received by the Commission but shall not include the effective date.

Schedules containing charges or regulations specially applicable to Christmas Day, New Year's Day, St. Valentine's Day, Easter, Mother's Day, Father's Day, Jewish New Year's Day, or Thanksgiving Day service may be published and filed to remain in effect for a specified period of less than thirty days without special authority from the Commission. Such schedules in connection with their respective effective dates shall bear the notation "Effective for a period of less than thirty days under authority of Rule (b) of Tariff Circular No. 1."

By the Commission,

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 37-3056; Filed, October 16, 1937; 9:59 a. m.]

RADIO INSTALLATIONS

ORDER AND NOTICE OF HEARING

The Telegraph Division at its regular meeting on October 5, 1937, adopted the following Order:

[Docket No. (as hereafter listed)]

IN RE APPLICATION OF (AS HEREAFTER LISTED) FOR THE EXEMPTION OF THE VESSEL S. S. (AS HEREAFTER LISTED) PURSUANT TO THE PROVISIONS OF ARTICLE 28 OF THE SAFETY OF LIFE AT SEA CONVENTION AND SECTION 352 (b), 1 AND 2, OF TITLE III, PART 2, OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

ORDER

Whereas the Division having under consideration an application by (as hereafter listed) for exemption pursuant to the provisions of Article 28 of the Safety of Life at Sea Convention and Section 352 (b), 1 and 2, of the Communications Act of 1934, as amended, for the vessel S. S. (as hereafter listed) on voyages between (as set forth in application) and (as set forth in application).

Whereas the Commission is unable to determine from the application that the route or the conditions of the voyage, or other circumstances, are such as to render a radio installation unreasonable or unnecessary;

It is ordered, That a hearing shall be held in Washington, D. C., beginning at 10:00 A. M., on the 2nd day of November, 1937, in the case of F. L. Iverson, Docket No. 4854; at 11:00 A. M. the 2nd day of November, 1937, in the case of American Steamship Company, Docket No. 4855; at 2:00 P. M. the 2nd day of November, 1937, in the case of Atlantic Refining Company, Docket No. 4856; at 10:00 A. M. the 4th day of November, 1937, in the case of Eastern Steamship Lines, Inc., Docket No. 4857; at 10:00 A. M. the 5th day of November, 1937, in the case of Merchants & Miners Transportation Company, Docket No. 4853; upon the issues and in accordance with the procedure set forth in the attached Bill of Particulars.

By the Commission, Telegraph Division.

[SEAL]

T. J. SLOWIE, Secretary.

NOTICE

NATURE OF APPLICATION: EXEMPTION UNDER ARTICLE 28 OF THE SAFETY CONVENTION AND SECTION 352 (b), 1 AND 2, AND TITLE III, PART 2, OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

File No. _____
Docket No. _____

Service: Marine

Applicant: _____

To: _____

You are hereby notified that the Federal Communications Commission has examined the above-described application and has designated the foregoing matter for hearing for the following reasons:

1. To determine whether the vessel (s) _____
on voyages _____

is (are) within the class of vessels for which an exemption may be granted under Section 352 (b) (2) of the Communications Act of 1934, as amended;

2. To determine whether the route or conditions of the voyages in question are such as to render navigation in the waters concerned hazardous;

3. To determine the cost to the applicant of complying with the radiotelegraph provisions of the Safety Convention and Title III, Part 2 of the Communications Act of 1934, as amended;

4. To determine the value of radiotelegraph communication to the vessel on the voyages in question as a means of enhancing the safety of life and property at sea, both as a matter or protection to persons and property on board the

and as a protection to other shipping in such waters;

5. To determine whether the route or conditions of the voyage, or other circumstances, are such as to render a radio installation unreasonable or unnecessary for the purposes of the Safety Convention or of Title III, Part 2 of the Communications Act of 1934, as amended.

The hearing on the above-mentioned application will be held at _____, beginning at 10:00 A. M., on the _____ day of _____, 1937.

In order to avail itself of the opportunity to be heard, the applicant, within fifteen (15) days from the mailing of this notice, shall file with the Commission a written appearance and statement of desire to be heard, subscribed and verified by the applicant, and a terse yet complete statement, in writing, of the facts which it expects to prove at such hearing.

Within twenty-five (25) days of the publication of this notice of hearing, any person who desires to participate in such hearing shall file with the Commission its appearance and a statement of its desire to be heard, subscribed and verified, and a terse yet complete statement, in writing, of the facts it expects to prove at such hearing. No party, other than the applicant, shall be heard in this proceeding unless and until he shall file his appearance in accordance with the provisions of this paragraph.

Appearances filed in accordance with the preceding paragraphs shall be considered as pleadings but not as evidence of the facts therein stated.

In case no appearance or statement in writing of the facts to be proved upon this hearing is filed by the applicant within the time so specified, or if on the date set for hearing the applicant does not appear and offer evidence in support of his application, the applicant will be deemed in default, and his application denied.

Dated at Washington, D. C., _____, 1937.

FEDERAL COMMUNICATIONS COMMISSION,

TELEGRAPH DIVISION,

T. J. SLOWIE, Secretary.

The Telegraph Division approved a notice of hearing on the attached Order and directed that said notice be sent to the following:

Docket no.	Owner or operating agency	Name of vessels
4853	Merchants & Miners Transportation Co., Baltimore, Md.	Essex, Howard, Juniata, Lexington, Merrimack, Nantucket, Ontario, Providence, Quantico, Roanoke, Upshur, Volusia, Wyoming, York.
4854	F. L. Iverson, Master, c/o s. s. <i>Lotusland</i> , Burr's Landing, New London, Conn.	Lotusland.
4855	American Steamship Company, Buffalo, New York.	Achilles.
4856	Atlantic Refining Company, Philadelphia, Penna.	R. D. Leonard.
4857	Eastern Steamship Lines, Inc., Boston, Mass.	Falmouth, Sandwich, Cornish, Norwalk, Wilton, Madison.

T. J. SLOWIE, Secretary.

[F. R. Doc. 37-3057; Filed, October 16, 1937; 9:59 a. m.]

MODIFICATION OF RULE 262a, B, b

The Telegraph Division at its regular meeting held on October 5, 1937, modified Rule 262a, B, b, to read in part as follows:

SOUTHERN TRANSCONTINENTAL CHAIN AND FEEDERS (BROWN)

Available for Aeronautical and Aircraft Stations

2,946	3,257.5	3,467.5	5,612.5
3,127.5	3,242.5		5,632.5
3,222.5 ²	3,447.5		5,652.5
3,232.5	3,457.5	5,602.5	5,887.5 ³

NORTHWESTERN CONTINENTAL CHAIN AND FEEDERS (PURPLE)

Available for Aeronautical and Aircraft Stations

2,854	3,005	5,377.5 Day Only
2,994	4,917.5	5,887.5 ⁴

Available for Aeronautical Point-To-Point Stations

2,644	4,917.5 ¹²	8,130 Day Only ⁸
2,994 ¹³	6,490 ²	10,855 Day Only ¹⁰

²This frequency assigned for unlimited hours upon the express condition that no interference is caused to the international mobile service.

³Day only—not to be used within 300 miles of Canada.

⁴Subject to the condition that no interference is caused to the international service.

⁵Subject to the condition that no interference is caused to Government stations.

⁶Subject to the condition that no interference is caused to existing services and that the operating frequency will be maintained within 0.02 percent of the assigned frequency.

⁷Subject to the condition that no interference is caused to aeronautical and aircraft stations.

By the Commission, Telegraph Division.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 37-3058; Filed, October 16, 1937; 10:00 a. m.]

AMENDMENT TO RULE 375 AND RULE 403, CLASS B

The Telegraph Division at its regular meeting held on October 5, 1937, adopted the following Order amending Rule 375 and Rule 403, Class B:

ORDER

The Division, having heretofore amended Rule 376 so as to permit type A-3 emission in the band of frequencies 28,500 to 30,000 kc in lieu of the band 28,000 to 29,000 kc, and

It appearing, That Rule 403, Class B, must be amended to conform with this change, and

It further appearing, That Rule 375 should be amended to conform with Rule 382,

It is ordered, That Rule 375 and Rule 403, Class B, be and the same are hereby repealed and the following substituted in lieu thereof:

"375. *Types of emission*.—All bands of frequencies so assigned may be used for radiotelegraphy, type A-1 emission. Type A-2 emission may be used in the following bands of frequencies only:

"56000 to 60000 kilocycles.

"400,000 to 401000 kilocycles."

"403. *Class B—Unlimited radiotelegraph privileges*.—Limited in the operation of radiotelephone amateur stations to the following bands of frequencies:

"1,800 to 2,000 kilocycles.

"28,500 to 30,000 kilocycles.

"56,000 to 60,000 kilocycles.

"400,000 to 401,000 kilocycles."

By the Commission, Telegraph Division.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 37-3059; Filed, October 16, 1937; 10:00 a. m.]

FEDERAL POWER COMMISSION.

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, Basil Manly, John W. Scott.

[Docket No. IT-5470]

APPLICATION OF SIERRA PACIFIC POWER COMPANY

REOPENING PROCEEDINGS AND SETTING HEARING

Upon petition filed October 8, 1937, by Sierra Pacific Power Company, to renew its original application for authorization for issuance of securities filed July 3, 1937, Docket No. IT-5470,¹ and to present additional evidence therein or in support thereof;

And it appearing that on September 18, 1937, the Commission, by its order, dismissed said application filed July 3, 1937, without prejudice to the right of the applicant to renew said application and to present additional evidence therein or in support thereof;

The Commission orders:

(1) That said application filed July 3, 1937, be and it hereby is reinstated and the proceedings thereon, as of the date of the Commission's order of September 18, 1937, be reopened and resumed;

(2) That a further hearing upon said application filed July 3, 1937, and upon said petition filed October 8, 1937, in so far as the requests of said petition have not otherwise been disposed of by this order, be held in the Commission's hearing room, 1800 Pennsylvania Avenue, N. W., Washington, D. C., beginning at 10 A. M. on the 28th day of October, 1937.

Adopted by the Commission on October 14, 1937.

LEON M. FUQUAY, Secretary.

[F. R. Doc. 37-3055; Filed, October 16, 1937; 9:59 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of October, A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3167]

IN THE MATTER OF THE CEMENT INSTITUTE, AN UNINCORPORATED ASSOCIATION; S. W. STOREY, PRESIDENT, AND G. H. REITER, SECRETARY, AND THE VICE-PRESIDENT, TREASURER AND TRUSTEES OF THE CEMENT INSTITUTE; AND AETNA PORTLAND CEMENT COMPANY, ALPHA PORTLAND CEMENT COMPANY, ARKANSAS PORTLAND CEMENT COMPANY, ASH GROVE LIME AND PORTLAND CEMENT COMPANY, BEAVER PORTLAND CEMENT COMPANY, BESSEMER LIMESTONE AND CEMENT COMPANY, CALAVERAS CEMENT COMPANY, CALIFORNIA PORTLAND CEMENT COMPANY, CASTALIA PORTLAND CEMENT COMPANY, COLORADO PORTLAND CEMENT COMPANY, CONSOLIDATED CEMENT CORPORATION, COPLEY CEMENT MANUFACTURING COMPANY, CUMBERLAND PORTLAND CEMENT COMPANY, DEWEY PORTLAND CEMENT COMPANY, DIAMOND PORTLAND CEMENT COMPANY, EDISON CEMENT CORPORATION, FEDERAL PORTLAND CEMENT COMPANY, INC., FLORIDA PORTLAND CEMENT COMPANY, GEORGIA CEMENT AND PRODUCTS COMPANY, GIANT PORTLAND CEMENT COMPANY, GLENS FALLS PORTLAND CEMENT COMPANY, GREAT LAKES PORTLAND CEMENT CORPORATION, GREEN BAG CEMENT COMPANY OF WEST VIRGINIA, GREEN BAG CEMENT COMPANY OF PENNSYLVANIA, HAWKEYE PORTLAND CEMENT COMPANY, HERCULES CEMENT CORPORATION, HERMITAGE PORTLAND CEMENT COMPANY, HURON PORTLAND CEMENT COMPANY, IDAHO PORTLAND COMPANY,

¹ 2 F. R. 1401 (DI).

INTERNATIONAL CEMENT CORPORATION, KEYSTONE PORTLAND CEMENT COMPANY, KOSMOS PORTLAND CEMENT COMPANY, LAWRENCE PORTLAND CEMENT COMPANY, LEHIGH PORTLAND CEMENT COMPANY, MARQUETTE CEMENT MANUFACTURING COMPANY, MEDUSA PORTLAND CEMENT COMPANY, MISSOURI PORTLAND CEMENT COMPANY, MONARCH CEMENT COMPANY, MONOLITH PORTLAND CEMENT COMPANY, MONOLITH PORTLAND MIDWEST COMPANY, NATIONAL CEMENT COMPANY, NAZARETH CEMENT COMPANY, NEBRASKA CEMENT COMPANY, NORTH AMERICAN CEMENT CORPORATION, NORTHWESTERN PORTLAND CEMENT COMPANY, NORTHWESTERN STATES PORTLAND CEMENT COMPANY, OKLAHOMA PORTLAND CEMENT COMPANY, OREGON PORTLAND CEMENT COMPANY, PACIFIC PORTLAND CEMENT COMPANY, PEERLESS CEMENT CORPORATION, PENNSYLVANIA-DIXIE CEMENT CORPORATION, PETOSKEY PORTLAND CEMENT COMPANY, PITTSBURGH PLATE GLASS COMPANY, PORTLAND CEMENT COMPANY OF UTAH, RIVERSIDE CEMENT COMPANY, SANTA CRUZ PORTLAND CEMENT COMPANY, SIGNAL MOUNTAIN PORTLAND CEMENT COMPANY, SOUTHERN STATES PORTLAND CEMENT COMPANY, SOUTHWESTERN PORTLAND CEMENT COMPANY, SPOKANE PORTLAND CEMENT COMPANY, STANDARD PORTLAND CEMENT COMPANY, SUPERIOR CEMENT CORPORATION, SUPERIOR PORTLAND CEMENT, INC., THREE FORKS PORTLAND CEMENT COMPANY, TRINITY PORTLAND CEMENT COMPANY, UNION PORTLAND CEMENT COMPANY, UNIVERSAL ATLAS CEMENT COMPANY, VALLEY FORGE CEMENT COMPANY, VOLUNTEER PORTLAND CEMENT COMPANY, VULCANITE PORTLAND CEMENT COMPANY, WABASH PORTLAND CEMENT COMPANY, WEST PENN CEMENT COMPANY, WHITEHALL CEMENT MANUFACTURING COMPANY, WOLVERINE PORTLAND CEMENT COMPANY, YOSEMITE PORTLAND CEMENT CORPORATION, CORPORATIONS, MEMBERS OF THE CEMENT INSTITUTE

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That John W. Norwood, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, November 9, 1937, at ten o'clock in the forenoon of that day (eastern standard time), in the Main Hearing Room of the Federal Trade Commission Building, (first floor), 815 Connecticut Avenue, N. W., Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-3060; Filed, October 16, 1937; 10:18 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of October, A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3218]

IN THE MATTER OF QUALITY BAKERS OF AMERICA, AN UNINCORPORATED ASSOCIATION, AND ITS MEMBERS; FIRCH BAKING COMPANY, INC., DREIKORN BAKERY, INC., THE JACOB LAUB BAKING COMPANY, LIBERTY BAKING COMPANY, STROEHMANN BROTHERS

COMPANY AND VERMONT BAKING COMPANY, INDIVIDUALLY AND AS REPRESENTATIVE MEMBERS OF SAID UNINCORPORATED ASSOCIATION; C. F. STROEHMANN, J. P. DUCHAINE, GROVER C. PATTON, AND W. S. ALLISON, AS OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE OF SAID UNINCORPORATED ASSOCIATION, AND E. J. DERST, W. M. CLEMENS, ONIL O. COTE, S. S. WATTERS, HERBERT J. LAUB, JAMES H. SWAN, GEORGE C. WEST AND JAMES B. DWYER, AS MEMBERS OF SAID EXECUTIVE COMMITTEE, QUALITY BAKERS OF AMERICA, INC., A DELAWARE CORPORATION, WASHBURN CROSBY COMPANY, INC., A CORPORATION, PILLSBURY FLOUR MILLS COMPANY, A CORPORATION, RED STAR MILLING COMPANY, A CORPORATION, CONSOLIDATED FLOUR MILLS COMPANY, A CORPORATION, AND KANSAS MILLING COMPANY, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under Acts of Congress (38 Stat. 717; 15 U. S. C. A., Section 41), and (49 Stat. 1526, U. S. C. A., Sec. 13, as amended),

It is ordered, That John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, October 28, 1937, at ten o'clock in the forenoon of that day (central standard time), Room 501, Federal Building, Wichita, Kansas.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent.

The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 3061; Filed, October 16, 1937; 10:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of October, 1937.

IN THE MATTER OF JESSE HYMAN AND SEYMOUR KLEIN, DOING BUSINESS AS JESSE HYMAN & Co. 29 BROADWAY NEW YORK, NEW YORK

ORDER REVOKING REGISTRATION PURSUANT TO SECTION 15 (B) OF THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED

Jesse Hyman and Seymour Klein, doing business as Jesse Hyman & Co., a partnership, hereinafter called the registrant, having filed with the Commission on June 27, 1935 an application for registration on Form 1-M pursuant to Rule MA2 of the rules then governing the over-the-counter markets; and the said registration having become effective on January 1, 1936, in accordance with the Commission's rules and regulations; and the said registrant having become registered under Section 15 (b) of the Securities Exchange Act of 1934 as amended, by virtue of the provisions of Section 10 of the Act of Congress approved May 27, 1936, providing for the registration of over-the-counter brokers and dealers; and

The Commission having reasonable grounds to believe that the said registrant is permanently enjoined by decree of the Supreme Court of the State of New York, entered with its consent, on or about September 27, 1937, from engaging

in and continuing certain conduct and practices in connection with the purchase and sale of securities; and having further reasonable grounds to believe that it is in the public interest to revoke the said registration; and

The said Jesse Hyman and Seymour Klein, on September 27, 1937, having consented in writing to the revocation of said registration and having waived notice and opportunity for hearing in connection therewith, and the Commission having duly considered the matter and being fully advised in the premises;

It is ordered, Pursuant to Section 15 (b) of the Securities Exchange Act of 1934 as amended, that the registration of Jesse Hyman and Seymour Klein, doing business as Jesse Hyman & Co., a partnership, as a broker or dealer transacting business on over-the-counter markets be and the same is hereby revoked.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3063; Filed, October 18, 1937; 1:00 p. m.]

